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SEC. 3. Duty of State superintendent.—It shall be the duty of the State superintendent of public instruction to prescribe rules for making such tests as are required by this act and to prepare copies thereof, together with all blanks, charts, and printed forms deemed necessary by the State superintendent for carrying into effect the provisions of this act, and to distribute them to all the public-school teachers in incorporated cities and towns of the State, such distribution to be made through the district boards or, if there be such, through the executive officers thereof, the expenses of such printing and distribution to be borne out of the State superintendent's contingent: *Provided*, That the annual expense for such purpose shall not exceed \$150.

SEC. 4. When tests are to be made.—During the first month of each school year after the opening of school, teachers must make the tests required of this act upon the children then in attendance at school; and thereafter, as children enter school during the year, such tests must be made immediately upon their entrance.

SEC. 5. Boards of trustees to enforce this act.—It shall be the duty of the boards of trustees of the several school districts of the State to enforce the provisions of this act.

SEC. 6. This act shall take effect and be in force from and after July 1, 1915.

Foods and Drugs—Misbranding Defined. (Chap. 71, Act Feb. 24, 1915.)

SECTION 1. That section 9 of chapter 104 of the session laws of Wyoming, 1911, be amended and reenacted to read as follows:

SEC. 9. That the term "misbranded," as used herein shall apply to all drugs or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design or device, regarding such article or the ingredients or substances contained therein which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

That for the purpose of this act an article shall also be deemed to be misbranded:

In case of drugs:

First. If it be an imitation of, or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate or acetanilide, or any derivative or preparation of any such substances contained therein.

Third. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article or any ingredients or substances contained therein, which is false and fraudulent.

In case of food:

First. If it be an imitation of, or offered for sale under the distinctive name of another article.

Second. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any of such substances contained therein.

Third. If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: *Provided, however*, That reasonable variations shall be permitted and also exemptions as to small packages may be established by rules and regulations made in accordance with section 5 of chapter 107 of the session laws of Wyoming, 1913.

Fourth. If the package containing it or its label shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device, shall be false or misleading in any particular: *Provided*, That any article of food, which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

First. In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food, under their own distinctive names, and not an imitation of, or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with the statement of the place where said article had been manufactured or produced.

Second. In the case of articles labeled, branded, or tagged so as to plainly indicate that they are compounds, imitations, or blends, and the word "compound," "imitation," or "blend," as the case may be, is plainly stated on the package in which it is offered for sale: *Provided*, That the term "blend," as used herein, shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients, used for the purpose of coloring and flavoring only: *And provided further*, That nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods, which contain no unwholesome added ingredients, to disclose their trade formulas, except in so far as the provisions of this act may require to secure freedom from adulteration or misbranding.

**Foodstuffs, Drinks, Medicines, Drugs, and Liquors—Adulterated or Misbranded—
Condemnation and Confiscation. (Chap. 79, Act Feb. 25, 1915.)**

SECTION 1. That section 241 of the compiled statutes of Wyoming, 1910, be amended and reenacted to read as follows:

SEC. 241. Any article of food, drink, medicine, drug, or liquor that is adulterated or misbranded within the meaning of the act prohibiting the manufacture and sale of adulterated, misbranded, poisonous, or deleterious foods, drugs, medicines, and liquors, approved March 2, 1911, or any amendment thereof, or that is made, labeled, or branded contrary to the provisions of the said act, or that does not conform to the definition or analytical requirements provided in the said act, and is being sold or offered for sale or exposed for sale within the State of Wyoming, shall be liable to be proceeded against before any justice of the peace within whose jurisdiction the same may be found, and seized for condemnation and confiscation; and authority and jurisdiction are hereby vested in the several justices of the peace to issue the warrant and to hear and determine the proceedings herein provided for. Such proceedings shall be by complaint, verified by affidavit, and in the name of the State of Wyoming against the article or articles proceeded against, particularly describing the same, the place where they are located, the name of the person, firm, or corporation in whose possession they are found, and wherein they violate the provisions of this act. Thereupon said justice of the peace shall issue a warrant returnable not less than 3 nor more than 10 days after its date, directed to the sheriff or any constable of the county, commanding such officer to seize and take into his possession the article or articles described in the complaint and bring the same before the justice of the peace who issued the warrant, and to summon the person, firm, or corporation named in the warrant, and any other person who may be found in possession of the said articles, to appear at the time and place therein specified, which warrant shall be executed and served in the same manner as a writ of replevin in civil cases before such justice of the peace.

The hearing upon such complaint shall be at the time and place specified in the warrant, which time shall not be less than 5 days nor more than 15 days from the return day. Upon the hearing the complaint may be amended, and any person,